



## Equality & Diversity Policy

Whitby & District Fishing Industry Training School (WDFITS) is committed to equality and diversity in all its activities for those who learn, work and visit us. We will respect differences in race and ethnic origin, gender, disability, mental health, sexuality, age, religion and belief, additional learning needs and economic and social needs.

### Purpose

This policy:

1. Aims to establish clear guidelines regarding equality and to ensure that all forms of prejudice, discrimination [direct and indirect] and harassment will be challenged and addressed in a culture of mutual acceptance and respect.
2. Sets out the right every member of employees to work without fear of unfair or prejudicial treatment or discrimination. This requires WDFITS to provide a safe, co-operative learning and working environment based on mutual respect and, as a result, one in which all individuals – learners, employees and other users of the centre – can operate effectively and can flourish. This provision extends to learners working at employers' premises e.g. apprentices.
3. Commits WDFITS to:
  - Ensure that all learners and those who work for us have the opportunity to participate fully and achieve their full potential
  - Take positive steps to eliminate physical, social and economic barriers to access
  - Reduce any form of unlawful and/or unacceptable behaviour
  - Continue to drive to increase levels of under-represented groups
  - Ensure that all learners, employees and visitors accept their responsibility to uphold equality and show respect to others
  - Promote equality in learners admissions and their experiences whilst studying with WDFITS
  - Work with our employer partners to establish, promote and model equality good practice and to tackle unfair discrimination

### Implementation

The impact of Equality and Diversity initiatives will be monitored through measures such as:

- Teaching and Learning Observations
- Feedback from learners via questionnaires
- Analysis of complaints and incidents
- Inspection of OFSTED and other quality assurance agencies
- Analysis of employee recruitment and selection processes



## Associated Publications

The principles and aims of this policy are endorsed by other WDFITS policies and procedures, including:

- Safeguarding Policy
- Health & Safety Policy
- Complaints Policy
- Initial training
- Range of HR policies

## Responsible Person

Overall responsibility for this policy, its continuing effectiveness, and related Equality & Diversity issues lies with WDFITS' Chief Executive Officer (CEO).

In the event an employee or learner considers themselves to have suffered from unequal treatment, they should raise their concerns initially with their manager/allocated trainer. These concerns will be fully investigated in a timely and sensitive manner. As and where necessary, the CEO will take charge of the investigation.

## Policy Statement

WDFITS is committed to the principle and practice of equality of treatment and opportunity for everyone in employment and training.

The Equality Act 2010 simplifies, strengthens and harmonises existing legislation to provide a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Equality Act lists the following groups of individuals (and associated persons) as having protected characteristics:

## Protected Characteristics

The main protected characteristics are recognised to be:

- Age
- Disability
- Gender
- Sexual Orientation
- Gender Reassignment
- Race
- Religion / Faith.

## Age

We are committed to the provision of flexible strategies and practices that cater for all ages and take into account individual circumstances and needs.

WDFITS is committed to:

- Challenging stereotyping and marginalisation based on age



- Recognising that both older and younger people can make contribution to WDFITS based on their own experiences and skills
- Providing work and training opportunities for people regardless of age
- Ensuring that literature and correspondence reflects positive images of people of all ages

### **Disability**

Disability in the context of this policy includes those with learning and physical disabilities / difficulties, sensory impairment and difficulties due to mental health.

WDFITS is committed to:

- Working to eliminate discrimination against people with disabilities in its procedures and practices and encouraging change in individual behaviour and attitudes
- The provision of access, facilities and services to meet the needs of people with disabilities. It is recognised that the requirement for achievement of the mandatory MCA ENG1 medical may preclude some applicants from the training.
- Providing opportunities and support for people with learning disabilities/difficulties and positive encouragement to be involved and/or participate within their ability.

*Note: further information on disability can be found in our full Disability Policy.*

### **Gender**

WDFITS recognises the various ways in which males and females can be subject to discrimination, lack of opportunity and social injustice.

WDFITS is committed to:

- Challenging stereotyping and discrimination on the basis of gender
- Ensuring that service provision is discrimination free, and that there is equality of access or uptake of services
- Supporting the rights of individuals to identify their own gender
- Ensuring that gender does not inhibit individuals' abilities, preferences and aspirations

### **Sexual Orientation**

WDFITS supports the provision of equal access to its services and equal treatment of its employees/learners and of people who use its services who are homosexual, bisexual, transsexual or heterosexual.

WDFITS is committed to:

- Ensuring that no individual suffers discrimination based on their sexual orientation
- Providing an environment which is free from harassment
- Challenging value-laden assumptions, attitudes and behaviour



- Ensuring that employees, learners and service users do not receive any adverse treatment due to their sexual orientation

### **Gender Reassignment**

The Gender Recognition Act 2004 is an Act of Parliament of the United Kingdom that allows transgender people to change their legal gender. It came into effect on the 4<sup>th</sup> April 2005. In relation to the protected characteristic of gender reassignment WDFITS uses the following definition:

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment.

WDFITS is committed to:

- Ensuring that no individual suffers discrimination based on the above protected characteristic
- Providing an environment which is free from harassment
- Challenging prejudices, assumptions, attitudes and behaviour
- Ensuring that employees, learners and service users do not receive any adverse treatment due to their protected characteristic

### **Race**

Issues of nationality, ethnic origin or cultural background are all components of the perception of Race. For the purposes of this statement, Race is used as a general term to cover all these factors.

WDFITS is committed to:

- Working to eliminate racism in its structures as well as encouraging change in individual behaviour and attitude
- The use of positive images in all literature
- Positive action measures that meet the needs of minority ethnic people
- Identifying the needs of different minority ethnic groups using its services so as to ensure that services and employment practices are as relevant as possible to all groups

### **Religion / Faith**

WDFITS is not a religious organisation and does not promote any creed or belief.

WDFITS is committed to:

- Supporting the rights of individuals to their religious beliefs and customs
- Treating these with respect



- Endorsing the diversity of a multi-faith society, including those with no religious beliefs
- Combating derogatory stereotyping, myths and abuse
- Fasting periods and other religious or ethnic requests, such as a private room and time for prayer, will be considered on a case-by-case basis.

### **Other Protected Characteristics**

#### **Marriage and Civil Partnership, Pregnancy and Maternity**

WDFITS will not treat employees and learners less favourably or discriminate against them on these grounds.

#### **Regulations / Acts**

All employees and learners of WDFITS are expected to obey the regulations and be positive about their role in promoting and supporting a culture based on equal opportunities. All external persons connected with WDFITS are encouraged to hold the same responsibility and commitment.

WDFITS believe in human rights for everyone connected with the organisation and all members of society.

WDFITS will obey all the laws, regulations and Acts. Some of these include:

- Equality Act 2010
- Human Rights Act 1948 and 1998
- Health and Safety at Work Act 1974
- Rehabilitation of Offenders Act 1974
- Equal Pay Act 1970
- European Equal Treatment Directive 1976
- Employment Rights Act 1996
- Protection from Harassment Act 1997
- Public Interest Disclosures Act 1998
- Data Protection Act 1998
- Working Time Regulations 1998
- Part Time Workers Regulations 2000
- Common Accord for Awarding Bodies

#### **Protection/Support**

WDFITS is committed to:

Protecting and supporting employees / learners, and will be put in place;

- Advice and guidance on what to do if you are harassed or bullied
- Advice and guidance if you have a complaint or a grievance
- A disability statement which provides advice and guidance for disabled learners
- The right to have a friend, supporter or mentor present during interviews



- The NVQ assessment appeals procedure
- The right to look at the personal data we hold on you
- Health and safety policy and procedures
- Advice and guidance on referrals of employees and learners to other agencies and organisations for further help and advice
- Procedure for employee recruitment, employment and leaving
- Procedure for learners' recruitment, learning, employment and leaving
- Advice and guidance on the rehabilitation of ex-offenders
- Restrictions in the use of the Internet – limitations on access to certain websites
- Advice and guidance on the display of potentially offensive material

The words and pictures used in advertising, for all WDFITS paperwork, and within all course documents, such as handouts and assessment paperwork, will be carefully chosen and checked to make sure they do not offend any group or discriminate against anyone.

The use of e-mail and the internet will be controlled so that no material (images or words) that might offend is introduced into the School and so that any personal data held is protected.

The contract procedures will be reviewed to make sure they are fair. The wording of contracts or service level agreements will refer to WDFITS' equality and diversity policy and a copy of the policy will be given to the organisations concerned.

A copy of the policy will be provided to all employees and learners. The policy will be reviewed on an annual basis and statistics will be gathered to help us see whether we are providing a supportive fair environment. The annual self-assessment report will look at equality and diversity and any actions will be included in the action plan.

### **Employee and Learners' Interviews and Initial Assessments**

The results of all initial assessments for learners and any tests for employees will always be available to them, and written information and any discussions will be kept confidential.

Access to employment within the organisation and to training programmes is open and fair. The WDFITS' Equality and Diversity Policy covers all interviews. All applicants will be told that if they are questioned in a personal or intrusive way they should comment upon it. Such questions can then be re-worded or avoided by interviewing employees. No person will be asked to give any detail on their application which they think might lead to an infringement of their human rights.

### **Final Assessments**

Any learner approaching final assessments and who considers themselves to require a reasonable adjustment in order to have an equal opportunity of achieving, can contact management to discuss requirements on a 1:1 basis. Management will make a decision by reference to Appendix 1 and Appendix 2 (SQA guidance).

### **Management Responsibility and Vicarious Liability**

The Board of Directors and all managers are responsible for making sure all laws and Acts of Parliament are adhered to. They fully understand the implications for them of vicarious liability.



It is the responsibility of all Employees to actively promote equality of opportunity. WDFITS will let all its employees know of their responsibilities and opportunities under Equal rights legislation. WDFITS' Equality and Diversity Policy will be provided to all employee, learners and work Providers and provide appropriate training to all employee and learners.

### **Cooperation by Employees and Learners**

As a part of WDFITS you have a duty to cooperate with any measures set out to improve or sustain the concept of equality of opportunity. You must report bullying and harassment and any discriminatory act.

### **Accreditation of Prior Learning and Time Off-Work for Learning**

Learners' previous experience and qualifications will be taken into account for the purposes of accreditation of prior learning for national vocational qualifications. Employees will be entitled to training for the needs of their job and also for personal development. Learners and employees will be entitled to time to study. WDFITS will to agree with Work providers' time off-the-job for learners to carry out personal study and for formal training.

### **Employees and Learners – Right to Information**

All employees and learners will receive initial, regular and updating briefings on Equality and Diversity opportunities, rights and responsibilities and new legislation. Additionally, the Equality and Diversity policy can be found on the Admin Office notice board, as well as on the company website.

### **Questions, Concerns and Suggestions**

All questions, concerns and any suggestions for improvement of Equality and Diversity issues, systems and procedures are encouraged and welcome at any time. Please refer them to the CEO.



## Definitions

### Direct discrimination

Consists of treating an individual less favourably than others; on the basis of their gender, race, age, sexual orientation, ethnic or national origin, religion, and marital status or disability/learning difficulty.

### Indirect discrimination

Occurs when a condition or requirement, although applied equally to all individuals or groups, adversely affects a higher proportion of one group of people over another. Indirect discrimination can also occur when a learner or employee is discriminated in relation to a protected characteristic of the learner or employee. This may also apply to persons with whom the learner or employee shares the protected characteristic at a particular disadvantage when compared with persons with whom the learner or employee does not share it.

WDFITS will take all reasonable steps to eliminate indirect discrimination in all aspects of learning or employment.

### Positive Discrimination against Gender Stereotyping

All employees shall make every effort to tell learners how to break out of stereotypical roles at work. Vocational training providers are allowed by law to be proactive in trying to introduce men and women into areas of work not considered normal activity for a particular sex. Our recruitment literature is designed to encourage both male and female and learners from ethnic minorities.

### Harassment

Harassment is:

*“unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment includes sexual harassment, unwanted/unwelcome sexual advances or promises/threats related to sexual activity”.*

### Bullying

Bullying is:

*“causing a person to fear that violence may be used against them and can include unwelcome comments, looks, action, suggestions or physical contact that upsets an individual.*

### Victimisation

This involves treating a person less favourably than others are, or would be treated because that person has – in good faith – made or is supporting a complaint of discrimination.